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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/997,155

11/28/2001

James Carlyle

537-1059

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7590

06/04/2004

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EXAMINER

PARDO, THUY N

ART UNIT

PAPER NUMBER

2175

DATE MAILED: 06/04/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,155

Applicant(s)

CARLYLE ET AL.

Examiner

Thuy Pardo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2001 and 01 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's Amendment filed on October 08, 1999 in response to Examiner's Office Action has been reviewed. Claims 1-6 have been amended and claims 7-12 have been added.
2. Claims 1-30 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being as being anticipated by Li US Patent application Publication No. 2002/0099700.

As to claim 1, Li teaches a data classification method [categorization of search results, see the abstract] comprising the steps of:

defining a plurality of hierarchical indices [0032 of page 3];

storing data in a database in a memory [inherent in the database of search engine, 0066 of page 6]; and

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linking the stored data in the database to applicable ones of the indices in dependence on characteristics of the data, the link being with a lowest applicable entry within the hierarchical indices fig. 3; 0055-0058 of page 5].

As to claim 2, Li teaches the invention substantially as claimed. Li further teaches that each index is a hierarchy of categories and sub-categories [0032 of page 3; fig. 2].

As to claim 3, Li teaches the invention substantially as claimed. Li further teaches that the stored data comprises references to electronic data, the reference including a network identifier for accessing the data [0005 of page 1].

As to claim 4, Li teaches the invention substantially as claimed. Li further teaches that the electronic data comprises World Wide Web pages and the reference to the data includes the Web page's Universal Resource Locator, URL [0080 of page 7].

As to claims 5 and 6, all limitations of these claims have been addressed in the analysis of claim 1 above, and these claims are rejected on that basis.

As to claim 7, Li teaches the invention substantially as claimed. Li further teaches indices corresponding to categories selected. from: data subject; content language; data format; and, location associated with the data item [0043 of pages 3-4].

As to claims 8 and 9, all limitations of these claims have been addressed in the analysis of claims 3 and 4 above, and these claims are rejected on that basis.

As to claim 10, Li teaches the invention substantially as claimed. Li further teaches that the server being operative to accept settings for a number of the indices and a search term, wherein the server is arranged to access the data classification structure to generate a set of data references from those in the data classification structure in dependence on the settings of the indices and to execute a search using the search term on the set of data references [0046 of page 4].

As to claim 11, Li teaches the invention substantially as claimed. Li further teaches that the server is arranged to generate the set of data references by determining the intersection of data references associated with each index entry corresponding to its respective index setting [005-20054 of pages 4-5].

As to claim 12, Li teaches the invention substantially as claimed. Li further teaches that the server is arranged to generate the set of data references by determining the intersection of data references associated with each index entry, or being a child of that index entry, corresponding to its respective index setting [0055-0058 of page 5].

As to claim 13, Li teaches the invention substantially as claimed. Li further teaches that the server is arranged to generate the set of data references by determining the union of data

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references associated with each index entry corresponding to its respective index setting [0055-0058 of page 5].

As to claim 14, Li teaches the invention substantially as claimed. Li further teaches that the server is arranged to generate the set of data references by determining the union of data references associated with each index entry, or being a child of that index entry, corresponding to its respective index setting 0066-0068 of page 6].

As to claim 15, Li teaches the invention substantially as claimed. Li further teaches that the server is arranged to host a World Wide Web site on the Internet, the World Wide Web site including an interface operative to accept the settings for a number of the indices and the search term, wherein the server is arranged to output the data references as a World Wide Web page [0010 of page 1].

As to claim 16, Li teaches the invention substantially as claimed. Li further teaches the server being operative to accept settings for a number of the indices, wherein the server is arranged to output data references from the data classification structure in dependence on the settings of the indices [0016 of page 2].

As to claims 17-25, all limitations of these claims have been addressed in the analysis of claims 3-5, 10, and 12-14 above, and these claims are rejected on that basis.

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As to claim 26, Li teaches the invention substantially as claimed, comprising the steps of:
traversing the Web site [see figs 3, 8];
recording characteristics of associations between pages of the Web site [0028 of page 2];
comparing the recorded characteristics with the hierarchical data structure, wherein if a predetermined number of the recorded characteristics for a page and associated pages match a portion of the hierarchical data structure, the page is classified against the portion of the hierarchical data structure [0029 of page 2; 0033-0036 of page 3; 0043-0049 of page 4].

As to claims 27-29, all limitations of these claims have been addressed in the analysis above, and these claims are rejected on that basis.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is (703) 305-1091. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

The fax phone number for the organization where this application or proceeding is assigned are as follows: (703) 872-9306 (Official Communication)

and/or:

(703) 746-5616 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to then on occasions*).

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Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

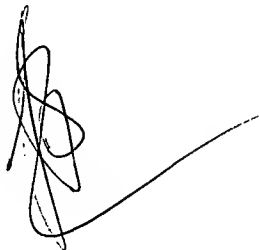
Washington, D.C. 20231

or faxed to: (703) 308-9051, (for formal communications intended for entry)

Or: (703) 308-5359, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

May 28, 2004

A handwritten signature in black ink, appearing to read 'THUY N. PARDO', with a long horizontal line extending to the right.

**THUY N. PARDO
PRIMARY EXAMINER**